

In the Court of Judicial Magistrate (2nd Court)
Diamond Harbour, South 24 Parganas
Present: Sri UTTAM DAS, WBSJ (WB01219)

CASE NO:- M 149/2023

Order dated 01/12/2023

Today the date is fixed for hearing of exparte hearing.

Ld adv for the petitioner filed hajira and ready for exparte hearing.

At this stage Ld adv for the OP filed a show cause petition along with WO annexing assets and liabilities declaration and prayed for vacating exparte order. On perusal of the case record it appears that as the OP did not file WO, exparte order was passed against him. The OP has filed WO and he is willing to contest the case. Grounds of show cause is satisfactorily. Hence Show cause is accepted.

Accordingly, exparte order dated 09-10-2023 passed against the OP is here by vacated with cost of Rs 3,000/- is to be paid to the petitioner by the OP.

WO is also accepted.

To 13/05/2024 for PWS and payment of cost.

OP will get chance to cross examine the petitioner on payment of cost id case will be heard exparte.

Dict. & Corrected

JM 2nd Court DDH.

JM 2nd Court DDH.